

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Marc W. Kirschner and Noriyuki Kinoshita

Continuation Application of

Application No.: 09/507,773
Filed: February 18, 2000

Group Art Unit: Not yet assigned
Examiner: Not yet assigned

For: ISOLATED FGF RECEPTOR

J1040 U.S. PTO
10/016447
12/10/01

Date: Dec. 16, 2001

EXPRESS MAIL LABEL NO. EV 005369424 115

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☐ Copies of the cited references are enclosed.
- ☒ Copies of cited references are enclosed except those entered in prior application, U.S. Serial No. 08/776,207, to which priority under 35 U.S.C. 120 is claimed. The earlier application contains copies of the cited references. (No copies of references are enclosed.)
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) ☐ under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ the enclosed English language abstract.

☐ Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

☐ A copy of each above-cited application, including the current claims, is enclosed.

☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.

☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Antoinette G. Giugliano
Antoinette G. Giugliano
Registration No.: 42,582
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: December 10, 2001

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| PTO 1449 REPRODUCED INFORMATION DISCLOSURE CITATION IN AN APPLICATION December 10, 2001 (Use several sheets if necessary) | ATTORNEY DOCKET NO. 0725.1039-009 | APPLICATION NO. Continuation of 09/507,773 |
| | APPLICANT Marc W. Kirschner et al. | |
| | FILING DATE | GROUP |

J1040 U.S. PRO
10/016447
12/10/01

U.S. PATENT DOCUMENTS

| EXAM INER INI- TIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB- CLASS | FILING DATE IF APPROPRIATE |
|------------------------------|----|-----------------|----------|-----------------|-------|---------------|----------------------------------|
| | AA | 5,256,643 | 10-26-93 | Persico et al. | 514 | 12 | 5-29-90 |
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| | AD | | | | | | |

FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB- CLASS | TRANSLATION YES NO |
|--|----|-----------------|----------|--------------------------|-------|---------------|-----------------------|
| | AL | 89/04832 | 01-06-89 | WO | | | |
| | AM | 93/19096 | 30-09-93 | WO | | | |
| | AN | 2223495A | 11-04-90 | GB | | | |
| | AO | 04036184 | 06-02-92 | JP (English Abstract) | | | X |
| | AP | 92/13948 | 20-08-92 | WO (English Abstract) | | | X |
| | AQ | 94/13796 | 23-06-94 | WO | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| AR | Hanks, S. K., "Eukaryotic Protein Kinases," <i>Current Opinion in Structural Biology</i> , 1:369-383 (1991). |
| AS | Fett, J. W., et al., "Isolation and Characterization of Angiogenin, an Angiogenic Protein from Human Carcinoma Cells," <i>Biochemistry</i> , 24(20):5480-5486 (1985). |
| AT | Maes, P., et al., "The Complete Amino Acid Sequence of Bovine Milk Angiogenin," <i>FEBS Letters</i> , 241(1,2):41-45 (1988). |
| AU | Wilson, R., et al., "2.2 Mb of Contiguous Nucleotide Sequence from Chromosome III of <i>C. elegans</i> ," <i>Nature</i> , 368:32-38 (1994). |
| AV | Hao, Q. L., et al., "Isolation and Sequence Analysis of a Novel Human Tyrosine Kinase Gene," <i>Molecular and Cellular Biology</i> , 9(4):1587-1593 (1989). |
| AW | Johnson, D. E., et al., "Diverse Forms of a Receptor for Acidic and Basic Fibroblast Growth Factors," <i>Molecular and Cellular Biology</i> , 10:4728-4736 (1990). |

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| | AX | Haugg and Schein, "The DNA Sequences of the Human and Hamster Secretory Ribonucleases Determined with the Polymerase Chain Reaction (PCR)," <i>Nucleic Acids Research</i> , 20(3):612 (1992). | | | | | |
| | AY | Ciccodicola, A., et al., "Molecular Characterization of a Gene of the 'EGF Family' Expressed in Undifferentiated Human NTERA2 Teratocarcinoma Cells," <i>The EMBO Journal</i> , 8(7):1987-1991 (1989). | | | | | |
| | AZ | Dono, R., et al., "The Murine <i>Cripto</i> Gene: Expression During Mesoderm Induction and Early Heart Morphogenesis," <i>Development</i> , 118:1157-1168 (1993). | | | | | |
| | AR2 | Basilico and Moscatelli, "The FGF Family of Growth Factors and Oncogenes," <i>Adv. Cancer Res.</i> , 59:115-165 (1992). | | | | | |
| | AS2 | Cheng and Flanagan, "Identification and Cloning of ELF-1, a Developmentally Expressed Ligand for the Mek 4 and Sek Receptor Tyrosine Kinases," <i>Cell</i> , 79:157-168 (1994). | | | | | |
| | AT2 | Flanagan and Leder, "The kit Ligand: A Cell Surface Molecule Altered in Steel Mutant Fibroblasts," <i>Cell</i> , 63:185-194 (1990). | | | | | |
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| | AV2 | Musci, T. J., et al., "Regulation of the Fibroblast Growth Factor Receptor in Early <i>Xenopus</i> Embryos," <i>Proc. Natl. Acad. Sci. USA</i> , 87:8365-8369 (1990). | | | | | |
| | AW2 | Elledge, S. J., et al., "λYES: A Multifunctional cDNA Expression Vector for the Isolation of Genes by Complementation of Yeast and <i>Escherichia coli</i> Mutations," <i>Proc. Natl. Acad. Sci. USA</i> , 88:1731-1735 (1991). | | | | | |
| | AX2 | Kornbluth, S. et al., "Novel Tyrosine Kinase Identified by Phosphotyrosine Antibody Screening of cDNA Libraries," <i>Molecular and Cellular Biology</i> , 8(12):5541-5544, (1988) | | | | | |
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IN AN APPLICATION

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(Use several sheets if necessary)

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Marc W. Kirschner et al.

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| AY2 | Amaya, E., et al., "Expression of a Dominant Negative Mutant of the FGF Receptor Disrupts Mesoderm Formation in <i>Xenopus</i> Embryos," <i>Cell</i> , 66:257-270 (1991). |
| AZ2 | Gallwitz, D., et al., "The Actin Gene in Yeast <i>Saccharomyces Cerevisiae</i> : 5' and 3' End Mapping, Flanking and Putative Regulatory Sequences," <i>Nucleic Acids Research</i> , 9:6339-6350 (1981). |
| AR3 | Kimelman, D., et al., "The Presence of Fibroblast Growth Factor in the Frog Egg: Its Role as a Natural Mesoderm Inducer," <i>Science</i> , 242:1053-1056 (1988). |
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| AT3 | Tannahill, D., et al., "Developmental Expression of the <i>Xenopus int-2</i> (FGF-3) Gene: Activation by Mesodermal and Neural Induction," <i>Development</i> , 115:695-702 (1992). |
| AU3 | Joseph, L. J., et al., "Complete Nucleotide and Deduced Amino Acid Sequences of Human and Murine Preprocathepsin L. An Abundant Transcript Induced by Transformation of Fibroblasts," <i>J. Clin. Invest.</i> , 81:1621-1629 (1988). |
| AV3 | Gal and Gottesman, "Isolation and Sequence of a cDNA for Human Pro-(Cathepsin L)," <i>Biochem. J.</i> , 253:303-306 (1988). |
| AW3 | Kay, B. K., et al., "Potential for Two Isoforms of the A1 Ribonucleoprotein in <i>Xenopus laevis</i> ," <i>Proc. Natl. Acad. Sci. USA</i> , 87:1367-1371 (1990). |
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| AZ3 | Lyons and Nelson, "An Immunological Method for Detecting Gene Expression in Yeast Colonies," <i>Proc. Natl. Acad. Sci USA</i> , 81:7426-7430 (1984) |
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